

### DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL PROBES FOR THE DETECTION OF MYCOBACTERIA

the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 3, 1997 as United States Application Serial Number 08/943,777 or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

#### Priority Claimed

Yes No.

<u>1096/96</u> (Number)	<u>Denmark</u> (Country) (PCT)	<u>4, October 1996</u> (Day/Month/Year Filed))	x	<input type="checkbox"/>
<u>1156/96</u> (Number)	<u>Denmark</u> (Country) (PCT)	<u>18, October 1996</u> (Day/Month/Year Filed))	x	<input type="checkbox"/>
<u>0512/97</u> (Number)	<u>Great Britain</u> (Country) (PCT)	<u>5, May 1997</u> (Day/Month/Year Filed))	x	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/028392</u> (Application Number)	<u>15, October 1996</u> (Filing Date)	x
<u>60/029595</u> (Application Number)	<u>23, October 1996</u> (Filing Date)	x
<u>60/045962</u> (Application Number)	<u>8, May 1997</u> (Filing Date)	x

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Henrik Stender

Inventor's signature *H. Stender* Date July 12, 1998

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Inventor's signature *Kaare Lund* Date 7/12/98

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Inventor's signature *Tina Anderson Mollerup* Date 8/7 '98

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PATENT  
Customer No. 22,852  
Attorney Docket No. 09138.0006-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
H. STENDER et al. ) Group Art Unit: 1634  
Application No.: 09/544,934 ) Examiner: J. Fredman  
Filed: April 7, 2000 )  
For: NOVEL PROBES FOR THE )  
DETECTION OF MYCOBACTERIA )  
Commissioner for Patents  
Washington, DC 20231

Sir:

**REVOCATION OF POWER OF ATTORNEY  
AND GRANT OF NEW POWER OF ATTORNEY**

The undersigned, a representative authorized to sign on behalf of the assignee owning all of the interest in this patent, hereby revokes all previous powers of attorney or authorization of agent granted in this application before the date of execution hereof. The undersigned verifies that Dako A/S, Glostrup, Denmark is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventors recorded in the U.S. Patent and Trademark Office at Reel 09378, Frame 0381. The undersigned certifies that the evidentiary documents have been reviewed and to the best of the undersigned's knowledge and belief, title is in the assignee Dako A/S.

The undersigned hereby grants its power of attorney to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg.

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Lehman, Reg. No. 38,535; and Anthony C. Tridico, Reg. No. 45,958 both jointly and separately as their attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and to receive the Letters Patent.

Please send all future correspondence concerning this application to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. at the following address:

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Dated: July 11, 2003

By:   
Lene Rytter  
Director, Corporate Legal Affairs